

MESSAGE NO: 5296311

MESSAGE DATE: 10/23/2015

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-972

EFFECTIVE DATE: 10/16/2015

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

Notice of Lifting of Suspension Date: 10/23/2015

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty scope determination on Stilbenic Optical Brightening Agents from the People's Republic of China (A-570-972)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Procter & Gamble (P&G). Commerce issued a final scope determination on 10/16/2015 that P&G's (1) Aako FB-71C (CAS # 016090-02-1, EC # 240-245-2) and (2) Fluorescent Brightener 351 (CAS # 27344-41-8, GCAS # 98729368) which P&G imports are not within the scope of the antidumping duty order on stilbenic Optical Brightening Agents (OBAs) from the People's Republic of China (PRC) (A-570-972).
2. Commerce determined that P&G's products are outside the scope of the order because (1) Aako FB-71C (CAS # 016090-02-1, EC # 240-245-2) falls under the exclusion language of the order and (2) Fluorescent Brightener 351 (CAS # 27344-41-8, GCAS # 98729368) is not a triazinylaminostilbene, which are the only products subject to the order. Therefore, P&G's products are not within the scope of the antidumping duty order on stilbenic OBAs from PRC.
3. For all entries of P&G's products not within scope that remain unliquidated on or after 11/03/2011, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to P&G's Aako FB-71C (CAS # 016090-02-1, EC # 240-245-2) and Fluorescent Brightener 351 (CAS # 27344-41-8, GCAS # 98729368) described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of P&G's Aako FB-71C (CAS # 016090-02-1, EC # 240-245-2) and Fluorescent Brightener 351 (CAS # 27344-41-8, GCAS # 98729368) entered, or withdrawn from warehouse, for consumption on or after 11/03/2011.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is
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subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of stilbenic OBAs from the PRC not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIV: AN.)

9. There are no restrictions on the release of this information.

Sherri L. Hoffman

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party